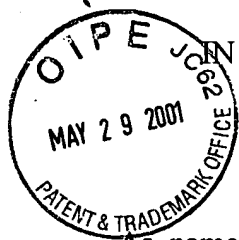


Attorney Docket No. 1417Y P 407

PATENT

Baxter Ref: FLM-5687

(113469.1)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION AND POWER OF ATTORNEY

As named inventors, **Michael T.K. Ling, William S. Hurst, Lee Woo, Al J. Bindokas, Patrick T. Ryan, Scott D. Edwards, Henk P. Blom, and Atul R. Khare** we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled "**PORT TUBE AND CLOSURE COMPOSITION, STRUCTURE AND ASSEMBLY FOR A FLOWABLE MATERIAL CONTAINER**", filed on January 8, 2001, Serial No. 09/756,490.

We hereby state that we have reviewed and understand the contents of the above-identified Specification, including the Claims, as amended by any Amendment referred to above.

We acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the Application on which priority is claimed:

Prior Foreign Application(s) NONE

Priority
Claimed

Number

Country

Day/Month/Year
Filed

Yes No

We hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below: NONE

Application Number

Filing Date

We hereby claim the benefit under 35 U.S.C. § 120 of any United States Application(s), or § 365(c) of any PCT International Application designating the United States, listed below and, insofar as the subject matter of each of the Claims of this Application is not disclosed in the prior United States or PCT International Application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior Application and the national or PCT international filing date of this Application:

Application Number

Filing Date

Status

We hereby appoint the following attorney(s) and/or agent(s) to prosecute this Application and transact all business in the Patent and Trademark Office connected therewith.

Francis C. M. Kowalik	34,646	Robert E. Wagner	20,528	Paul J. Nykaza	38,984
Mark J. Buonaiuto	31,593	Daniel N. Christus	29,626	Edward Bishop	39,110
Joseph J. Barrett	34,769	Linda A. Kuczma	30,861	James P. Muraff	39,785
Janice Guthrie	35,170	Roger H. Stein	31,882	John R. Lagowski	41,922
Charles R. Mattenson	30,660	Thomas K. Stine	32,310	Austin J. Foley	42,543
Paula J. Kelly	37,624	Micheal D. Lake	33,727	Matthew J. Gryzlo	43,648
Jeffrey C. Nichols	36,879	Joseph A. Fuchs	34,604	Peter M. Klobuchar	43,772
Bradford R. L. Price	29,101	Robert W. Diehl	35,118	Brent A. Hawkins	44,146
		Bradley F. Rademaker	35,331	William J. Lenz	44,208
		Richard C. Himelhoch	35,544	Christopher S. Clancy	44,618
		Monique A. Morneault	37,893	Joseph M. Kinsella	45,743
		Jeffrey R. Gargano	38,148	Stephen R. Auten	47,396

Send correspondence and direct telephone calls to:

Mark J. Buonaiuto, Esq.
Assistant General Counsel
Baxter International Inc.
One Baxter Parkway, DF2-2E
Deerfield, Illinois 60015

We hereby declare all statements made herein of our own knowledge are true and all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the Application or any patent issued thereon.

Full Name of First Joint Inventor: **Michael T.K. Ling**

Residential Street Address: **1672 Cypress Pointe Drive**

City and State/Province: **Vernon Hills, Illinois**

Country and Zip/Postal Code: **U.S.A. 60061**

Citizenship: **U.S.A.**

Mailing Address: **Same as above.**

Inventor's Signature: 

Date: **4-26-01**

Full Name of Second Joint Inventor: **William S. Hurst**

Residential Street Address: **W650 Spring Prairie Road**

City and State/Province: **Burlington, Wisconsin**

Country and Zip/Postal Code: **U.S.A. 53105**

Citizenship: **U.S.A.**

Mailing Address: **Same as above.**

Inventor's Signature: 

Date: **4-26-01**

Full Name of Third Joint Inventor: **Lecon Woo**

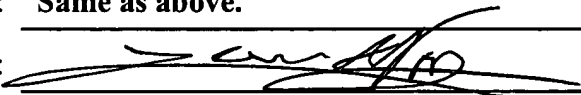
Residential Street Address: **1013 Shari Lane**

City and State/Province: **Libertyville, Illinois**

Country and Zip/Postal Code: **U.S.A. 60048**

Citizenship: **U.S.A.**

Mailing Address: **Same as above.**

Inventor's Signature: 

Date: **4/26/01**

Full Name of Fourth Joint Inventor:

ALGIRDAS BINDOKAS 035-2-01
Alg. Bindokas

Residential Street Address: **67 Waverly Avenue**

City and State/Province: **Clarendon Hills, Illinois**

Country and Zip/Postal Code: **U.S.A. 60514**

Citizenship: **U.S.A.**

Mailing Address: **Same as above.**

Inventor's Signature: 

Date: **5/2/01**

Full Name of Fifth Joint Inventor: **Patrick T. Ryan**

Residential Street Address: **968 Boxwood Drive**

City and State/Province: **Crystal Lake, Illinois**

Country and Zip/Postal Code: **U.S.A. 60014**

Citizenship: **U.S.A.**

Mailing Address: **Same as above.**

Inventor's Signature: 

Date: **4/26/01**

Full Name of Sixth Joint Inventor: **Scott D. Edwards**

Residential Street Address: **1124 Jaimee Lane**

City and State/Province: **Libertyville, Illinois**

Country and Zip/Postal Code: **U.S.A. 60048**

Citizenship: **U.S.A.**

Mailing Address: **Same as above.**

Inventor's Signature: 

Date: **5/2/01**

Full Name of Seventh Joint Inventor: **Henk P. Blom**

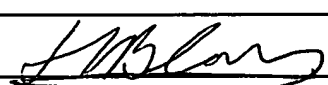
Residential Street Address: **430 W. Northshore Drive**

City and State/Province: **Mundelein, Illinois**

Country and Zip/Postal Code: **U.S.A. 60060**

Citizenship: **U.S.A.**

Mailing Address: **Same as above.**

Inventor's Signature: 

Date: **4/26/01**

Full Name of Eighth Joint Inventor: **Atul R. Khare**

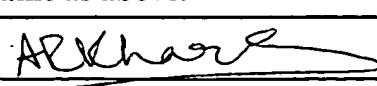
Residential Street Address: **1529 Magnolia Drive**

City and State/Province: **Crystal Lake, Illinois**

Country and Zip/Postal Code: **U.S.A. 60014-1983**

Citizenship: **U.S.A.**

Mailing Address: **Same as above.**

Inventor's Signature: 

Date: **04/25/01**